

(a) any person, excluding the federal government, who is named as the consignor and/or consignee in a bill of lading contract who is not the owner of the goods being transported but who assumes the responsibility for payment of the transportation and other tariff charges for the account of the beneficial owner of the goods, normally an employee of the consignor and/or consignee; or, (b) a freight forwarder which tenders a shipment to a carrier in furtherance of authorized or exempt freight forwarder operations.

(7) *Government Bill of Lading Shipper.* As used in this part, "government bill of lading shipper" refers to any person whose property is transported under the terms and conditions of a government bill of lading issued by any department or agency of the federal government to the carrier responsible for the transportation of the shipment.

(8) *Other terms.* Where any other terms used in the regulations in this part are defined in 49 U.S.C. 13102, such definitions shall be controlling. Where terms are used in this part which are neither defined herein nor in 49 U.S.C. 13102, they shall have the ordinary practical meaning of such terms.

[46 FR 16218, Mar. 11, 1981; 46 FR 22594, Apr. 20, 1981, as amended at 65 FR 58664, Oct. 2, 2000]

### § 375.2 Information for shippers.

(a) Prior to the execution of an order for service of a shipment of household goods, as defined in § 375.1(b)(1), every motor common carrier holding out to perform the service shall cause to be furnished to the prospective individual shipper the following publications.

(1) Publication OCE-100, *Your Rights and Responsibilities When You Move*.

(2) A concise, easy-to-read, accurate summary of any dispute settlement program in which the carrier participates, as provided in 49 U.S.C. 14708 and approved by the FMCSA.

(3) A copy of Form OCE-101, *Annual Performance Report*, most recently filed with the FMCSA, as prescribed in § 375.18, if the carrier is required to complete part B of that form.

(4) A written description of the customer complaint and inquiry handling procedures established and maintained by the carrier. Included in this descrip-

tion shall be a telephone number which the shipper may use to communicate with the carrier, accompanied by a clear and concise statement concerning who shall pay for such calls.

(b) *General Requirements:* (1) The text and format of the publication shall not be changed without the written approval of the Director, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration.

(2) The Director, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, shall, within 30 days following the effective date of a decision of the Federal Motor Carrier Safety Administration changing any rule or regulation published at 49 CFR part 375, cause to be published in the FEDERAL REGISTER a notice of amendment to Publication OCE-100 reflecting such change or changes.

(3) The dimensions of the publication shall be optional, *Provided, however*, The product of multiplying the length by the width shall be not less than 36 square inches.

(4) The color and design of the front and back cover of the publication shall be optional. *Provided*, the only words printed or appearing on the front cover shall be "*Your Rights and Responsibilities When You Move*."

[46 FR 16218, Mar. 11, 1981; 46 FR 22594, Apr. 20, 1981, as amended at 59 FR 2305, Jan. 14, 1994; 59 FR 34392, July 5, 1994; 62 FR 49940, 49941, Sept. 24, 1997]

### § 375.3 Estimates of charges.

(a) *Binding estimates.* Motor common carriers engaged in the transportation of household goods as defined in § 375.1(b)(1) may provide in their tariffs for the preparation and furnishing to shippers of binding estimates of the costs which the shippers will be required to pay for the services included in the estimates. Binding estimates must be furnished in writing to the shipper or other person responsible for payment of the freight charges and a copy of each such estimate must be retained by the carrier as an addendum to the bill of lading. All such estimates shall have clearly indicated on its face that the estimate is binding on the carrier and that the charges shown are the charges which will be assessed for the